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YAHOO! INC.

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

SEAN HARVEY, individually and on behalf
of other members of the general public
similarly situated,

Plaintiffs,

vs.

YAHOO! INC.,

Defendants.

NO. CV-11-00420-MO

~~PROPOSED~~ ORDER APPROVING
FLSA SETTLEMENT AND DISMISSING
CASE.

~~PROPOSED~~ ORDER

On July 29, 2011, Plaintiff Sean Harvey and Defendant Yahoo! Inc. jointly requested the Court to review and approve a confidential Settlement Agreement and General Release ("Agreement"), which they tendered separately for the Court's *in camera* review.

Upon review of the confidential Agreement, consideration of the information regarding the basis for the parties' settlement presented to the court, and in light of the facts and circumstances contained in the record, the Court determines that the terms of the settlement of this litigation are fair and reflect a reasonable compromise of the plaintiff's FLSA claims, including the amount contemplated to be paid to the plaintiff for resolution of his claims.

The Court, moreover, has determined that the Agreement is not the product of fraud or overreaching by, or collusion between, the negotiating parties, and that the settlement, taken as a whole, is fair, reasonable and adequate to all concerned. Among other things, the parties have informed the Court that they were represented by able counsel, that the plaintiff entered into the settlement voluntarily, and that the plaintiff had a reasonable and sufficient period of time to consider the Agreement and its terms.

In approving the Agreement, the court balanced relevant factors, including the risk, expense, complexity, and likely duration of further litigation, and the experience and views of counsel.

Accordingly, the Court:

1. Approves the Agreement as a fair and reasonable resolution of a *bona fide* dispute;

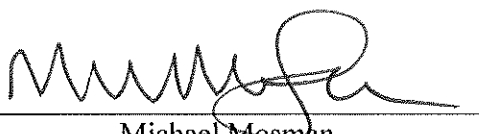
2. Finds that the dismissal of Plaintiff's individual claims does not impair, interfere or otherwise limit in any way the rights of other persons similarly situated;

3. Dismisses this case without prejudice as to the absent class, but with prejudice as to the plaintiff's individual claims; and

4. Directs the Court Clerk to return the Agreement to the offering party.

SO ORDERED

DATED: 1 Aug 11



Michael Mosman
Judge, United States District Court

SUBMITTED BY:

BANKS LAW OFFICE, P.C.

PAUL HASTINGS LLP

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Dated: July 29, 2011

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Attorneys for *Plaintiff*
SEAN HARVEY

Attorneys for *Defendant*
YAHOO! INC.

LEGAL_US_W # 68686409.1

Case No. CV 11-00420-MOS

~~[PROPOSED]~~ ORDER APPROVING FLSA SETTLEMENT AND DISMISSING CASE